

# **EXHIBIT 11**

## **(part 4)**

33

Application/Control Number: 09/546,145

Page 3

1. Any inquiry concerning this communication should be directed to Robert Ferraro at telephone number (703) 308-1012. The examiner can normally be reached Monday through Thursday from 7:00 am to 5:00 pm, Eastern Standard Time.

4. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Thomas D. Will, can be reached on (703) 308-1870. The fax phone number for this Group is (703) 305-7657.

  
Robert Fazzino  
Art Unit 3671  
February 27, 2001

CERTIFICATE OF MAILING	
I hereby certify that the correspondence is being deposited with the United States Postal Service at the place indicated on envelope addressed to: Assistant United States Attorney, Washington, D.C. 20530 on this date: <b>February 27, 2001</b>	
David P. Uhlmann	<i>David P. Uhlmann</i>
Type or print name	Date
David P. Uhlmann	February 27, 2001



#91C

PATENT

3/27/01

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UNITED STATES PATENT AND TRADEMARK OFFICE	
Application No.:	09/548,145
Filing Date:	April 10, 2000
Applicant:	Richard D. Bednar, et al.
Group Art Unit:	3871
Examiner:	Not assigned yet
Title:	GANG-TYPE ROTARY LAWN MOWER
Attorney Docket:	70165-000015COA
Hon. Commissioner of Patents and Trademarks Washington, D.C. 20231	

Sir:

Applicants respectfully request a change to the TITLE of the invention. Please amend the above-identified application specification as follows. Applicants include herewith an Attachment for Specification Amendments showing amendments in which underlines indicate insertions and brackets indicate deletions.

**IN THE SPECIFICATION**

Please amend the TITLE of the invention as follows:  
 GANG-TYPE ROTARY LAWN MOWER WITH REAR ROLLER

Serial No. 09/548,145

Page 2

**ATTACHMENT FOR SPECIFICATION AMENDMENTS**  
 U.S. Serial No. 085545,145, Filed April 10, 2000  
 Attorney Docket No. 7016R-00000 5/COA  
underlines indicate insertions and brackets indicate deletions)

The TITLE of the invention has been amended as follows:  
**GANG-TYPE ROTARY LAWN MOWER WITH REAR ROLLER**

(Indicate here if based on 17 USC 102(b)(1)(B) or 102(e))



Please type or print legibly in ink.

### TRANSMITTAL FORM

(For use for all correspondence after November 1, 1999)

Transmitter of Paper in This Submission	15	Attorney Docket Number	7016R-00000 5/COA
EXPLANATION OF TRANSMISSION (check all that apply)			
<input checked="" type="checkbox"/> The Transmittal Form	<input type="checkbox"/> Addendum (Parties Other than Appellee)	<input type="checkbox"/> Attn: Allowance Communication to Gover	
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawings	<input type="checkbox"/> Attn: Correspondence to Agents and Intermediaries	
<input type="checkbox"/> Amendment (Response)	<input type="checkbox"/> Untranslated Papers	<input type="checkbox"/> Attn: Correspondence to Groups Other than Appellee, Not Being Proprietary Information	
<input type="checkbox"/> After Final	<input type="checkbox"/> Motion	<input type="checkbox"/> Attn: Legal	
<input type="checkbox"/> Authorization(s)/Copy(s)	<input type="checkbox"/> Motion to Correct or Re- Provisional Application	<input type="checkbox"/> Other Endorsements	
<input type="checkbox"/> Declaration of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Other Endorsements Solely Identifying Requester of Assignment or Transfer, Not Being Proprietary Information	
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Expiration	<input type="checkbox"/> Terminal Expiration Request for Renewal	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Record	<input type="checkbox"/> CD, Number of (CNU)	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Remarks		
<input type="checkbox"/> Transmittal to Patent Office/ Trademark Application			
<input type="checkbox"/> Response to Notice Pursuant to Section 122 or 133			

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SEP 4 2001

U.S. PATENT AND TRADEMARK OFFICE

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual Name	Attorney Name
Hermann, Pfeifer & Pfeifer, P.L.C.	Joseph A. Pfeifer, Esq.
Signature	
Date	Sept 4, 2001

### CERTIFICATE OF MAILING/TRANSMISSION

I hereby certify that the correspondence is being transmitted with the United States Patent and Trademark Office on this date by the following method(s):	
Type of Mailed Item	Joseph A. Pfeifer, Reg. No. 21158
Signature	
Date	Sept 4, 2001

Serial No. 085545,145

Page 3

Assigned To	John Doe	Phone Number	(555) 123-4567
Date Due	2023-09-30	Comments	

Washington, D.C. is the first major international city. Come and experience the world and me. Located at the U.S. Embassy.

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S-100  
9/16/01

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

PATENT

Application No.:	09/546,145
Filing Date:	April 10, 2000
Applicant:	Richard D. Bednar
Group Art Unit:	3871
Examiner:	Robert Pazzutto
Title:	GANG-TYPE ROTARY LAWN MOWER WITH REAR ROLLER
Attorney Docket:	7016R-000015COA

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**RESPONSE TO OFFICE ACTION**

Sir:

Applicant hereby petitions under the provisions of 37 C.F.R. § 1.136(a) for a three (3) month extension of time in which to respond to the outstanding Office Action. Applicant has included a Fee Transmittal with this response for such extension of time.

In response to the Office Action mailed February 27, 2001, please consider the enclosed Terminal Disclaimer and the remarks set forth below.

**DOUBLE PATENTING**

Claims 1 and 21-31 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-19 of U.S. Patent No. 6,047,530.

Notwithstanding, Applicant submits, attached to this Response, a Terminal Disclaimer in compliance with 37 CFR § 1.322 (c) which overcomes each of the instant rejections based on a nonstatutory double patenting ground. Applicant's Terminal Disclaimer simply serves the statutory function of removing the rejections of double patenting and raises neither a presumption nor an estoppel as to the merits of the Examiner's rejection. Applicant's Terminal Disclaimer should not be considered as an admission, acquiescence or estoppel as to the merits of the rejection and doing so would be improper. *Ortho Pharmaceutical Corp. v Smith*, 22 U.S.P.Q.2D 1119, 1124 (Fed. Cir. 1992); *Quaid Envtl. Tech. Corp. v Union Sanitary Dist.*, 20 U.S.P.Q.2D 1382 (Fed. Cir. 1991). Consequently, Applicant respectfully requests that this rejection be reconsidered and withdrawn.

**CONCLUSION**

All of the grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests the Examiner to reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding office action, and as such, the present application is in condition for allowance.

Serial No. 09/546,145

Page 2

Serial No. 09/546,145

Page 3

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U.S. PATENT AND TRADEMARK OFFICE  
TRANSMITTAL FORM  
For use in all correspondence after May 1, 1995  
Check Number or Filing Date in the box below →  
*101P-36714*

Application Number	08/646,145
Filing Date	April 10, 2000
First Named Inventor	Richard D. Bednar
Group Art Unit	3071
Examiner Name	Richard Pazzato
Attorney Docket Number	7016R-000015COA
<b>ENCLOSURES</b> (check off each one)	
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Non-allowance Communication to or an Attorney
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Appeal Communication to Board of Appeals and Patent Appeals
<input checked="" type="checkbox"/> Amendment/Response	<input type="checkbox"/> Appeal Communication to Patent and Trademark Trial and Appeal Board
<input type="checkbox"/> After Final	<input type="checkbox"/> Assignment of Application or Patent
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<input type="checkbox"/> Extension of Time Requested	<input type="checkbox"/> Assignment of Patent or Patent Application from one party to another
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Remarks:	<input type="checkbox"/> Remarks

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Signature of Applicant, Attorney, or Agent	Patent and Trademark Office 401 M Street, SW Washington, DC 20591
Name Hannah Disney & Weber, P.L.C.	Attn: Name Joseph N. Lanza Contact: C. Freake
Date	<i>April 11, 2000</i>

CERTIFICATE OF MAILING/TRANSMISSION

I hereby certify that the correspondence is being forwarded to the United States Patent and Trademark Office by the above named person, or to the name indicated in the U.S. Patent and Trademark Office's computer system, or to the name of record.

Date of express mail: April 11, 2000

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Date of facsimile transmission: April 11, 2000

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Date of other method of transmission: April 11, 2000

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\$1205 U.S. PRO  
08/07/97



Further, I state that by this instrument, RANSOMES AMERICA CORPORATION does not disclaim any terminal part of any patent granted on the above-drafted pending patent application prior to the expiration date of the full statutory term or any extended term as presently shortened by any terminal disclaimer of any patent to issue from U.S. Patent No. 6,047,530 in the event that this patent later: (1) expires for failure to pay a maintenance fee; (2) is held unenforceable; (3) is found invalid; (4) is statutorily disclaimed in whole or in terminal disclaimers under 37 CFR 1.321(b); (5) has all claims canceled by a reexamination certificate; or (6) is otherwise terminated prior to the expiration of its statutory term or any extended term as presently shortened by any terminal disclaimer, except for the separation of legal title as stated above.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further like so made are punishable by fine or imprisonment, or both, under Section 102(e) of Title 18 of the United States Code and that any such wilful false statements may jeopardize the validity of the application or any patent issued thereon.

*John M. LaFle*  
Date: Aug 21, 2001  
\_\_\_\_\_  
Joseph M. LaFle, Esq., No. 37158  
Applicants Attorney

Attachment: 2-Page Assignment

For and in consideration of the sum of One dollar (\$1.00) to me:

Richard D. Bednarz,  
1084 Shorewood Hills Rd.  
Loft Hills, Wisconsin 53551

paid by Ransomes America Corporation (hereinafter referred to as "Assignee"), a Delaware corporation having its principal place of business at:

900 North 21st Street,  
Lincoln, Nebraska 68501-2409

and for other valuable and sufficient consideration, except whereof is hereby acknowledged, I hereby sell, assign and convey, unto Assignee, its successors and assigns, my entire right, title, and interest -

(1) in and to an invention entitled "GANG-TYPE ROTARY LAWN HOMER" for which I have executed a United States patent application on even date herewith;

(2) in and to said United States application, in and to all other patent applications (including divisional, continuation, continuation-in-part, utility, provisional, serial(s), and reissue applications) based upon said invention, and in and to the patent or patents to be granted thereon, including reissues thereof, if any, to the full end of the term or terms for which said patent or patents may be granted;

(3) in and to all patent applications on said invention now or hereafter filed in countries foreign to the United States of America, and in and to any and all patents

R-111: H423 PRAMH: 0425  
10/17/01

Page 2

2 3 4

Serial No. 09/546,145

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granted on said applications to the full and of the terms for which said patents may be granted; and

(4) under the International Convention in respect to the United States patent application and agree that any patent applications of any foreign countries which may be filed shall be filed in the name of my Assignee with a claim to priority based on said United States application.

And I hereby agree that I will, upon demand of

Assignee, its successors or assigns, and without further consideration to my, execute any and all papers that may be necessary, or desired by Assignee, its successors or assigns, to be necessary, to a complete fulfillment of the intent and purpose of this Assignment, it being understood that any expense incident to the execution of such papers shall be paid by

Assignee, its successors, and assigns, and not by me.

And the Commissioner of Patents and Trademarks of the United States is hereby authorized and requested to issue the said United States patent or patents to Assignee.

Date: 1-7-97 Richard D. Bednar

<b>Notice of Allowability</b>	Application No. <b>DE1018148</b>	Applicant(s) Examiner <b>Robert E. Petruccio</b>	Patent Attala <b>SB71</b>
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**THE MAILING DATE OF THIS COMMUNICATION IS ON THE CENTER LINE WITH THE CORRESPONDING DATE LINE.**

All claims being allowable, PROSECUTION ON THE BASIS IS FORBIDDEN CLOSER TO THIS COMMUNICATION. If not included herewith, the prior art made a Notice of Allowance and Issue Fee Due or other appropriate communication will be made in due course. The Notice of Allowance is to be filed in the Office of Patent and Trademark Office, Washington, DC 20591. See 37 CFR 1.14 and 1.27.

1.  This communication is responsive to the amendment filed August 24, 2001.

2.  The allowed claim(s) states 1 and 21-23, renumbered 1-12, respectively.

3.  The drawing filed on \_\_\_\_\_ is acceptable as formal drawings.

4.  A Declaration is made of a claim for foreign priority under 35 U.S.C. § 119(e)(1).

4.1  All  Some  None of the:

4.2  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

4.3  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

\*Certified copies have been received in this national stage.

5.  A Declaration is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Applicant has THREE MONTHS FROM THE MAILING DATE of this communication to file a reply complying with the requirements noted above. Failure to timely comply will result in abandonment of the application. This THREE-MONTH PERIOD IS NOT extendable. An extension of time may be granted under 35 U.S.C. § 136 if the reasons set forth in 37 CFR 1.136(b) are satisfied. In the event a grant of an extension of time is granted, the mailing date of this communication will be considered the new filing date unless otherwise indicated in the grant of extension.

6.  Note the attached EXAMINER'S AMENDMENT OR NOTICE OF INFORMAL APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.

7.  Applicant MUST submit NEW FORMAL DRAWINGS.

7.1  Inclosed changes required by the Notice of Disallowance's Patent Drawing Review (PTO-348) attached 11/00 Thru or  to Paper No. \_\_\_\_\_.

7.2  Inclosed changes required by the proposed drawing correction file(s), which has been expressed by the Examiner's Amendment/Comment or in the Office action of Paper No. \_\_\_\_\_.

7.3  Inclosed changes required by the attached Examiner's Comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Identifying details such as the application number (See 37 CFR 1.54(c)) should be written on the drawing. The drawing should be filed as a separate paper with a transmittal letter addressed to the Office of Drawings.

8.  Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any right to this item(s) should include, in the upper right hand corner, the APPLICATION NUMBER (Serial's) CONFIDENTIAL NUMBER. If applicant has received a Notice of Allowance and filed the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

Attachment(s)

1  Notice of Allowance/Congressional Record (PTO-892)

2  Notice of Internal Patent Application (PTO-182)

3  Inter-Office Summary (PTO-131); Paper No. \_\_\_\_\_

4  Examiner's Amendment/Comment

5  Examiner's Statement of Reasons for Allowance

6  Notice of Disallowance's Patent Drawing Review (PTO-348); Paper No. \_\_\_\_\_

7  Examiner's Comment Regarding Filing Benefits of Drawings

8  Drawings

9  Other \_\_\_\_\_

10  Other \_\_\_\_\_

11  Other \_\_\_\_\_

12  Other \_\_\_\_\_

13  Other \_\_\_\_\_

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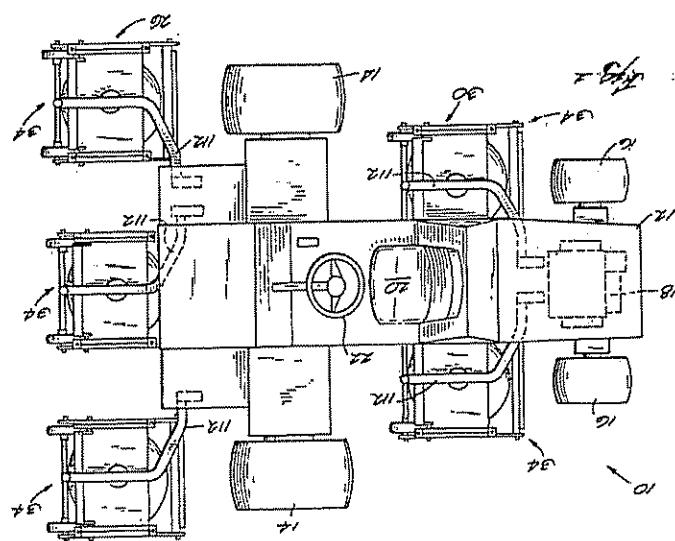
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NOTICE OF ALLOWANCE AND ISSUE FEE DUE				DATE MAILED -	
ATTORNEY/REG.	NAME	TYPE/CLASS	EXAMINER/PATENT NUMBER		
09/246,145	04/10/00	012	PEZZUTO, R	3671	09/28/01
35 USC 104(b) term ext. " 0 Days.					
THE ATTORNEY RENDAR,					
TITLE OF RANG-TYPE ROTARY LAWN MOWER WITH REAR ROLLER					
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UNITED STATES PATENT AND TRADEMARK OFFICE					



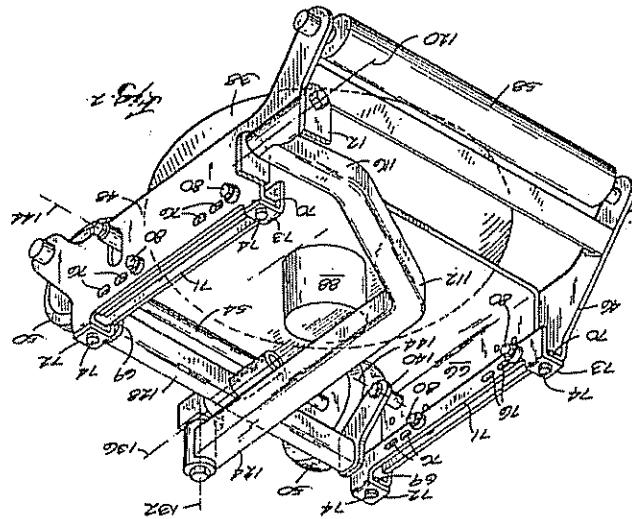
Patent Drawing  
Title: GANG-TYPE ROTARY LAWN MOWER WITH REAR ROLLER  
Inventor: Richard D. Bedell  
Filed: 04-10-00  
Notice of Allowance: 09-28-01  
Serial No.: 09546145  
Art Unit: 1671  
Examiner: R. Pazzu  
Ref. No.: 70161-00150DA  
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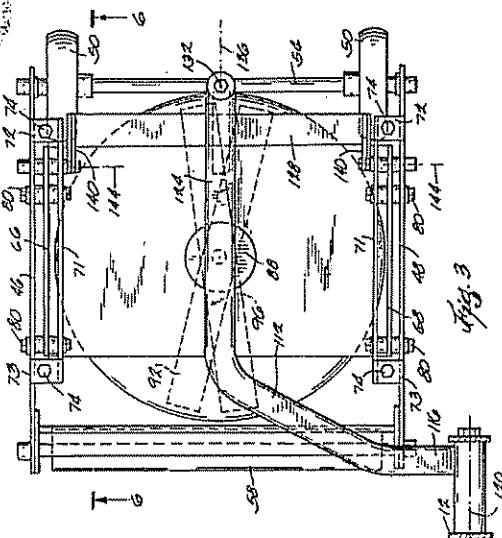


Patent Drawing  
Title: GANG-TYPE ROTARY LAWN MOWER WITH REAR ROLLER  
Inventor: Richard D. Bedell  
Filed: 04-10-00  
Notice of Allowance: 09-28-01  
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Art Unit: 1671  
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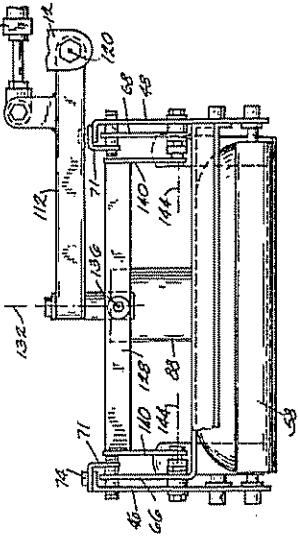


Title: GANG-PIPE ROTARY LAWN MOWING WITH REAP-ROLLER  
Inventor: Richard D. Borch  
Filed: 04-10-02  
Attorneys: John H. Baumgardner, R. Porro, John A. O'Brien, Jr.  
Priority: 05-28-01; Branch No. 9753; Reg. File. No.: 161-0315 COA 3-11-03



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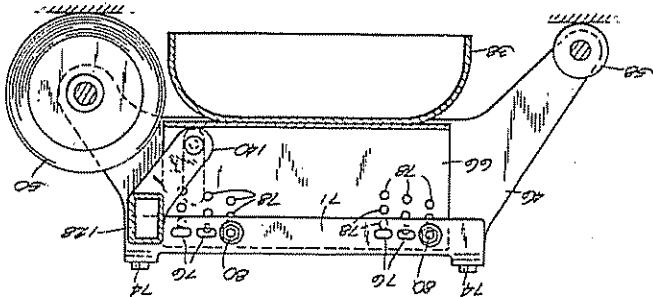
! Title: GANG-TEP ROTARY LANTERN EXCHANGER WITH REAR HOLLOW  
! Inventor: Fieeldard D. Bardi, 3701 W. 107th Street, Indianapolis, Indiana 46260  
! Filed: 04-10-00, Reissue of Application No. 09-261, Filed No. 1075, Atty. No.: TGR-016/CDA



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Title: GANG-TE ROTARY LAWN MOVER WITH REAR SCATTER  
Inventor: Richard D. Beddoe 1049 Attn Unit: 3671 Examiner: II. Fenni Appl. No. 085546145  
Rec'd: 04-10-00, Native of Alianence: 03-28-01, Batch No. K75, Atty. Ref. No.: 2016-B01500745



Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

PATENT APPLICATION FEE DETERMINATION RECORD		Application or Docket Number 09/516,145	
Effective December 20, 2009			
CLAIMS AS FILED - PART I (Column 1) (Column 2)			
FOR	NUMBER FILED	NUMBER EXTRA	OTHER THAN SMALL ENTITY RATE
BASIC FEE			\$45.00 OR X\$18*
TOTAL CLAIMS	1	minus 20a *	X\$18*
INDEPENDENT CLAIMS	1	minus 3 *	X\$18*
MULTIPLE DEPENDENT CLAIMS PRESENT			+ \$260*
		OR TOTAL	6/6
* If the difference in column 1 is less than zero, enter "0" in column 2			
CLAIMS AS AMENDED - PART II (Column 1) (Column 2) (Column 3)			
AMENDMENT	REMAINING CLAIMS AFTER AMENDMENT	PREVIOUSLY MADE PAYMENT	PRESENT EXTRA PAYMENT
Total	12	** 20	**
Independent	7	minus	***
FIRST PREFERENTIAL CLAIM MULTIPLE DEFENDENT CLAIM			
(Column 1) (Column 2) (Column 3)			
AMENDMENT	REMAINING CLAIMS AFTER AMENDMENT	PREVIOUSLY MADE PAYMENT	PRESENT EXTRA PAYMENT
Total	** Minus	**	**
Independent	** Minus	***	**
FIRST PREFERENTIAL OF MULTIPLE DEFENDENT CLAIM			
(Column 1) (Column 2) (Column 3)			
AMENDMENT	REMAINING CLAIMS AFTER AMENDMENT	PREVIOUSLY MADE PAYMENT	PRESENT EXTRA PAYMENT
Total	** Minus	**	**
Independent	** Minus	***	**
FIRST PREFERENTIAL OF MULTIPLE DEFENDENT CLAIM			
In this section, enter the fees for the claims, and for the dependent claims, which are present in the previous sections. Enter the fees for the independent claims first, then the fees for the dependent claims. Enter the fees for the first independent claim, then the fees for the second independent claim, and so on. Enter the fees for the first dependent claim, then the fees for the second dependent claim, and so on. Enter the fees for the first multiple dependent claim, then the fees for the second multiple dependent claim, and so on.			

PATENT APPLICATION FEE DETERMINATION RECORD		Application or Docket Number 09/516,145	
CLAIMS AS FILED - PART I (Column 1) (Column 2)			
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TOTAL CLAIMS	1	minus 20a *	X\$18*
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MULTIPLE DEPENDENT CLAIMS PRESENT			+ \$260*
		OR TOTAL	6/6
* If the difference in column 1 is less than zero, enter "0" in column 2			
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Total	12	** 20	**
Independent	7	minus	***
FIRST PREFERENTIAL CLAIM MULTIPLE DEFENDENT CLAIM			
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AMENDMENT	REMAINING CLAIMS AFTER AMENDMENT	PREVIOUSLY MADE PAYMENT	PRESENT EXTRA PAYMENT
Total	** Minus	**	**
Independent	** Minus	***	**
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AMENDMENT	REMAINING CLAIMS AFTER AMENDMENT	PREVIOUSLY MADE PAYMENT	PRESENT EXTRA PAYMENT
Total	** Minus	**	**
Independent	** Minus	***	**
FIRST PREFERENTIAL OF MULTIPLE DEFENDENT CLAIM			
In this section, enter the fees for the claims, and for the dependent claims, which are present in the previous sections. Enter the fees for the independent claims first, then the fees for the dependent claims. Enter the fees for the first independent claim, then the fees for the second independent claim, and so on. Enter the fees for the first dependent claim, then the fees for the second dependent claim, and so on. Enter the fees for the first multiple dependent claim, then the fees for the second multiple dependent claim, and so on.			

Fees and amounts shown in U.S. dollars.  
U.S. Patent and Trademark Office

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ISSUE SLIP STAPLE AREA (for additional cross references)			
POSITION	INITIALS	ID NO.	DATE/ C/I
FREE DETERMINATION O.J.P. CLASSIFIER	TED		1/25/93-00
FORMALITY REVIEW			1/22/93-00
RESPONSE FORMALITY REVIEW			

If more than 150 claims or 10 actions  
against additional street hero

REF ID: A11505

SEARCH NOTES (INCLUDING SEARCH STRATEGY)	
Date	Exm.

INTERFERENCE SEARCHED					
Class	Sub.	Date	Exmr.		
56	6	1/1/51	(2)		
		1/1/51	(2)		

PATENT APPLICATION  
09/546,145  
09/546,145

105-111-2 To  
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09/546,145

## CONTENTS

	Date Received (incl. C. of A.)	Date Received (incl. C. of A.)
	Data Filed	Data Filed
1. Application <i>Putzberger</i>	4/19/00	42.
2. <i>Putzberger</i>	7/5/00	43.
3. <i>Putzberger</i>	7/21/00	44.
4. <i>Putzberger</i>	7/21/00	45.
5. <i>Putzberger</i>	7/23/00	46.
6. <i>Putzberger</i>	1-16-01/3	47.
7. <i>Putzberger</i>	2-21-01/3	48.
8. <i>Putzberger</i>	3/5/01	49.
9. <i>Putzberger</i>	3/24/01	50.
10. <i>Putzberger</i>	3/24/01	51.
11. <i>Putzberger</i>	3/24/01	52.
12. <i>Putzberger</i>	3/24/01	53.
13. <i>Putzberger</i>	3/24/01	54.
14. _____	3/24/01	55.
15. _____	3/24/01	56.
16. _____	3/24/01	57.
17. _____	3/24/01	58.
18. _____	3/24/01	59.
19. _____	3/24/01	60.
20. _____	3/24/01	61.
21. _____	3/24/01	62.
22. _____	3/24/01	63.
23. _____	3/24/01	64.
24. _____	3/24/01	65.
25. _____	3/24/01	66.
26. _____	3/24/01	67.
27. _____	3/24/01	68.
28. _____	3/24/01	69.
29. _____	3/24/01	70.
30. _____	3/24/01	71.
31. _____	3/24/01	72.
32. _____	3/24/01	73.
33. _____	3/24/01	74.
34. _____	3/24/01	75.
35. _____	3/24/01	76.
36. _____	3/24/01	77.
37. _____	3/24/01	78.
38. _____	3/24/01	79.
39. _____	3/24/01	80.
40. _____	3/24/01	81.
41. _____	3/24/01	82.

(LEFT OUTSIDE)